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| Ministry of Justice | January 2017 |

**Freedom of Information Act (FOIA) Request –** 109368

You asked for the following information from the Ministry of Justice (MoJ):

**This request relates to section 76 of the Serious Crime Act 2015 - Controlling or Coercive Behaviour in an Intimate or Family Relationship. Since the law came into force a year ago today (29 December 2015), please state:**

1. **The total number of individuals who were prosecuted under section 76 of the Serious Crime Act 2015, broken down by gender.**
2. **The number of these individuals who were convicted, broken down by gender.**
3. **For those convicted, all information held on the sentences given, broken down by gender.**
4. **Please provide a regional breakdown of questions 1 to 3.**
5. **Please provide an age breakdown of questions 1 to 3.**

Your request has been handled under the FOIA.

I can confirm that the MoJ holds all of the information that you have requested.

No court proceedings took place in England and Wales under this legislation in 2015.

Some of the information, which covers 2016, is exempt from disclosure under section 44(1)(a) of the FOIA, which refers to prohibitions on disclosure ‘by or under any enactment’ of the FOIA. In this case, the information you are seeking is prohibited by the Statistics and Registration Services (SRS) Act 2007 and the Pre-release Access to Official Statistics Order 2008.

The information you have requested is a subset of the Criminal Justice Statistics data held in its final form which we routinely publish. It is intended for publication in May 2017. As such we are required to consider your request in a manner compliant with the Pre-release Access to Official Statistics Order 2008 further to sections 11 and 13 of the (SRS Act 2007).

The MoJ is obliged under section 13 of the SRS Act to continue to comply with the Code of Practice for Official Statistics (the Code) for statistics designated as National Statistics. Section 11(3) of the SRS Act regards the Pre-Release Access to Official Statistics Order as being included in the Code. Protocol 2 of the Code reflects the requirements of the Pre-Release Access to Statistics Order. Specifically, it requires producers of official statistics to ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access prior to publication. I can confirm that the MoJ does publish information on court proceedings and sentencing for offences of coercive control, for 2016, as part of National Statistics. Therefore, to now disclose as part of your FOI request, will violate the provisions of section 13 of the SRS Act and the Pre-Release Access Order to Official Statistics 2008 and as such engages the exemption under section 44(1)(a) of the FOIA.

Section 44 is an absolute exemption and does not require a public interest test.

The information for 2016 is also exempt from disclosure under section 22(1) of the FOIA, because it is intended for future publication. Please note that whilst quarterly court proceedings and convictions headline data are published and are currently available up to end June 2016, these data are subject to revision as later quarters are published, and are finalised only when the annual publication is made publicly available. To ensure consistency of data released to users, further breakdowns (in this case by specific offences under certain legislation) of 2016 quarters 1 & 2 (January to June) data are not available until the annual criminal statistics publication is published in May 2017.